

IN THE SUPREME COURT OF THE
STATE OF MONTANA

SUPREME COURT CAUSE NO. _____

WADE J. DAHOOD
 BERNARD J. "BEN" EVERETT
 JEFFREY W. DAHOOD
 KNIGHT, DAHOOD, EVERETT & SIEVERS
 Attorneys for Appellants
 113 East Third Street
 P.O. Box 727
 Anaconda, Montana 59711
 Telephone: (406)563-3424
 Facsimile: (406)563-7519
 Email: mojo@kdesdlaw.com, jdahood@kdesdlaw.com,
msievers@kdesdlaw.com

GREGORY A. SCHINDLER,
 and GRACE SCHINDLER,

Appellants,

-vs-

UNITED SERVICES AUTOMOBILE
 ASSOCIATION (USAA) INC.,

Appellee.

NOTICE OF APPEAL

FILED

JUL 23 2010

Ed Smith
 CLERK OF THE SUPREME COURT
 STATE OF MONTANA

NOTICE IS HEREBY GIVEN THAT GREGORY SCHINDLER and GRACE SCHINDLER, the Appellants above named and who are the plaintiffs in the cause of action filed in the Second Judicial District Court, in and for the County of Silver Bow, as Cause No. DV-08-537, hereby appeal to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 20TH day of July, 2010.

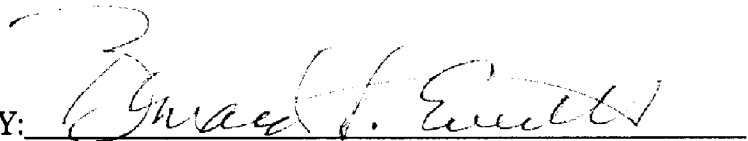
THE APPELLANTS FURTHER CERTIFY:

1. That this appeal is subject to the mediation process required by M. R. App. P. 7.
The money judgment being sought is not less than \$5,000.00.
2. That this appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b).
3. That no notice is required by M. R. App. P. 27 as this matter does not involve the constitutionality of any act of the Montana Legislature.
4. That all necessary transcripts of the proceedings have been ordered from the Court Reporter contemporaneously with the filing of this Notice of Appeal. The Appellants have complied with the provisions of the M. R. App. P. 8(3) contemporaneously with the filing of this Notice of Appeal.
5. That included herewith is the filing fee prescribed by statute.

DATED THIS 22nd DAY OF July, 2010.

KNIGHT, DAHOOD, EVERETT & SIEVERS

BY:



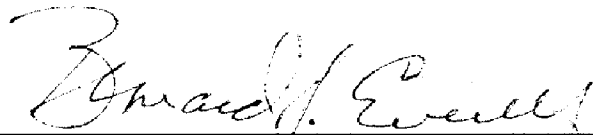
BERNARD J. "BEN" EVERETT
113 East Third Street
Anaconda, MT 59711
Attorneys for Appellants

CERTIFICATE OF SERVICE

I, BERNARD J. "BEN" EVERETT, attorney of record for the appellants, hereby certify that on the 22nd day of July, 2010, I served a true and accurate copy of the attached upon the attorneys of record for the defendant by depositing said copy in the United States Mails, postpaid, addressed as follows, to-wit:

Gary Walton
Walton & Luwe
8 West Park Street, Suite 401
P. O. Box 4248
Butte, Montana 59702-4248

Lori Maloney
Clerk of District Court
155 West Granite, Rm. 313
Butte, Montana 59701



BERNARD J. "BEN" EVERETT
Attorney for Appellants